

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
2:04cv35**

**ROLLING MEADOWS RANCH, INC.,**           )  
  )  
  )  
  )  
**Plaintiff,**                                       )  
  )  
**Vs.**    )  
  )  
  )  
**JACKSON COUNTY, a political subdivision** )  
**of the States of North Carolina; DUKE**    )  
**ENERGY CORPORATION, a North**            )  
**Carolina Corporation; THOMAS SAWYER;**)  
**KENNETH WESTMORELAND; and**            )  
**MICHAEL ENSLEY,**                            )  
  )  
  )  
  )  
**Defendants.**                                    )  
\_\_\_\_\_  
  )

**ORDER SETTING  
STATUS HEARING**

**THIS MATTER** is before the court on the court's own Motion to Set a Status Hearing. For cause, it appears that a number of dispositive motions are ripe for disposition, and have been ripe for a number of months. On or about June 8, 2005, Honorable Forrest A. Ferrell, former Superior Court Judge and designated mediator herein, indicated in a letter submitted to the court that this matter had been resolved. Since that time, the court has stayed consideration of the pending motions. Five months have now passed, the pending motions are becoming stale, and no dismissal of all claims has been filed. To get this matter moving again, a status conference will be set at which all counsel of record shall appear and be prepared to argue the merits of any pending motion.

**ORDER**

**IT IS, THEREFORE, ORDERED** that a **STATUS CONFERENCE** is calendared for December 2, 2005, at 2 p.m.

**Signed: November 14, 2005**

*Dennis L. Howell*

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Dennis L. Howell  
United States Magistrate Judge

